

UNITED STATES DISTRICT COURT
Eastern District of Washington

CHRISTOPHER PETERSON,

Plaintiff,

v.

SWIFT TRANSPORTATION,

Defendant.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-12-061-JLQ

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED 1. Plaintiff has failed to comply with this court's orders allowing him leave to amend his Complaint. The Complaint (ECF No. 1, 4) fails to establish a basis for this court's jurisdiction and thus is subject to dismissal per Fed.R.Civ.P. 12(h)(3)("If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action."). Even if the Complaint were liberally construed to invoke the court's jurisdiction, in its present form it fails to state a claim upon which relief may be granted and thus must be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). 2. The Clerk shall enter Judgment dismissing the Complaint and the claims therein without prejudice. File closed.

April 16, 2012

Date

JAMES R. LARSEN

Clerk

s/ Cheryl Switzer

(By) Deputy Clerk

Cheryl Switzer